



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/682,765

10/16/2001

Alan J. Janicek

03DV09036

9909

7590

11/05/2004

GERGORY CARR
CARR AND STORM
900 JACKSON ST.
670 FOUNDERS SQ.
DALLAS, TX 75202

EXAMINER

EASTHOM, KARL D

ART UNIT

PAPER NUMBER

2832

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/682,765		JANICEK ET AL.	
	Examiner		Art Unit	
	Karl D Easthom		2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 11-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10,22 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2832

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: There is no basis for the term “located at apexes of a non-oblique triangle in a plane orthogonal to each upwardly extending axis of each of said male conductive terminals”.

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-10, and 22-23 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In claim 1, the phrase “each of said sockets configured to receive female conductive connection elements on an electrically isolated plug” lacks original description because no one socket of two adjacent sockets is disclosed as configured to receive a plug having more than one female connection element. Further, there is no description for how the plug 204 at Fig. 3 is configured to fit into at least two adjacent sockets. Inspection of Figs. 3-5 reveal that a plug 204 fits into one socket having two male terminals, but there is no depiction of one plug fitting into adjacent sockets. For claim 6, there is no description for “the at least two adjacent sockets ...to fit different shape plugs” in conjunction with the claim 1 limitation of “configured to engage a locking tab of said electrically isolated plug”. That is, applicant appears to have two embodiments – represented by Fig. 3 and Fig. 6. In Fig. 3, that embodiment can

Art Unit: 2832

engage the locking tab on plug 204, but the embodiment that fits different shape plugs at Fig. 6 does not appear able to also engage a locking tab. Primarily, this is due to reasons noted above. The isolating wall seen at Fig. 8 between the two sockets would seem to preclude insertion of the plug 204. Applicant's specification does not support a single embodiment that supports insertion of both types of plugs, the single or double plug, but rather supports two different embodiments. Similar remarks apply to claims 22-23, since a wall as claimed appears to define sockets but also precludes entry of the plug as depicted.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5 and 7-10 are rejected under 35 U.S.C. 102(b) as obvious over Admitted Prior Art Figs. 1-2 in view of Woods et al., and either Fujita or Kodama. The admitted prior art discloses the claimed invention as noted in applicant's specification at Figs. 1-2, except the engaging member and female plug as claimed. Fujita discloses male terminals 34 at Fig. 1

Art Unit: 2832

with an engagement edge 38 (forming the triangle as claimed) with sheath 7 for making a good locking terminal connection, so that such a modification would have been obvious in order to lock the terminals to the device. The device is suitable for engaging multiple male members in a socket, similar to the socket holding male terminals 47, 49 of Woods et al. at Fig. 1, which is a PTC housing similar to that of APA Figs. 1-2, so that it would have been obvious to modify the male connector housing in order to accommodate a latching member such as that of Fujita. The tab 8 forms the triangle claimed with male terminals. Similar remarks apply to Woods at Fig. 9, where the tab 8 forms the triangle claimed with male terminals seen, suitable for locking female members as claimed. The wall of claims 22-23 appear between sockets. For claim 2, the male and female parts are at APA Fig. 2 under capacitor 108. For claims 3-4, the flexible arm and tab is the portion of 11/39 that flexes in Fujita, or the arm 14 of Kodama. For claim 5, the isolation is complete. For claim 7, the plate at Fig. 10 is admitted prior art. For claims 8-9, soldering or welding is noted at col. 4, lines 15-40 of Woods for attaching terminals to plates so that it would have been obvious. For claim 10, the whole device 322 of the APA has been made by cutting so that a cutting edge meets the claim no matter what has been removed.

7. Claims 1, 6, and 22-23 is rejected under 35 U.S.C. 102(b) as obvious over Admitted Prior Art Figs. 1-2 in view of Fujita and Sumida et al. (EP 0606752). The admitted prior art discloses the claimed invention as noted in applicant's specification at Figs. 1-2, except accommodation for the engaging member and sockets (of different sizes for claim 6) as claimed. Fujita discloses male terminals 34 at Fig. 1 with an engagement edge 38 as claimed with sheath 7 for making a good locking terminal connection, so that such a modification would have been obvious in order to lock the terminals to the device. The device is suitable for engaging

Art Unit: 2832

multiple male members in a socket, similar to the socket holding male terminals of Sumida et al. at Fig. 1, which is a housing having different size and shaped receptacles and upstanding walls between terminals for attachment of different plugs, so that it would have been obvious to employ the modification to accommodate different terminals, where the APA Figs. 1-2 also employs male terminals. For claims 22-23, the two ridges at the top of the sockets as seen at Fig. 1 are the upstanding walls between two terminals, and is shared by both sockets, where here, the socket need not be defined by four walls surrounding a terminal, since applicants claims 1 and 22-23 indicate it is not necessarily a requirement.


8. Applicant's arguments filed 10/18/4 with respect to claims above have been considered but are moot in view of the new ground(s) of rejection. Motivation or suggestion for combination is as noted.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karl D Easthom whose telephone number is (571) 272-1989. The examiner can normally be reached on M-Th, 5:30AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2832

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Karl D Easthom
Primary Examiner
Art Unit 2832

KDE